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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/297,784	07/07/1999	ROBERT SCHWARTZ	ASCOP039USNP	1253
7590 04/05/2005 Clarence A. Green Perman and Green LLP 425 Post Road Fairfield, CT 06430			EXAMINER SONG, HOSUK	
			ART UNIT 2135	PAPER NUMBER

DATE MAILED: 04/05/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

## Office Action Summary

Application No.

09/297,784

Applicant(s)

SCHWARTZ ET AL.

Examiner

Hosuk Song

Art Unit

2135

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 04 August 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 13-18 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 13-18 is/are rejected.
- 7) ☒ Claim(s) 16 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date 09297784.
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_.

## **DETAILED ACTION**

### ***Continued Examination Under 37 CFR 1.114***

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 8/4/2004 has been entered.

### ***Claim Rejections - 35 USC § 102***

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. Claim 17 is rejected under 35 U.S.C. 102(b) as being anticipated by Jones(US 5,181,245).

Claim 17: Jones discloses a processor for controlling the use and functions of cryptographic resources in (col.4,lines 64-68 and fig.1). Jones discloses a memory for securely storing data for use with cryptographic resources in (fig.1). Jones discloses a communication bus for communicating with a host computer to allow use of cryptographic resources in (fig.1#38,40,20,22). Jones disclose a timing circuit for sensing the amount of time the host computer is taking to complete a bus transaction, comparing amount of time with a predetermined time,generating a signal when sensed time exceeds predetermined time in (col.4,lines 17-27). Jones discloses a memory controller for controlling access to

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memory, memory controller constructed to receive signal and to terminate bus transaction in (col.5, lines 25-35).

### ***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 13, 18 are rejected under 35 U.S.C. 103(a) as being unpatentable over Jones (US 5,181,245).

Claim 18: Jones does not specifically disclose non-accessible self test processor to perform analysis for the purpose of verifying full functionality of the postal security device. Examiner takes official notice that this is well known in the art. One of ordinary skill in the art would have been motivated to employ self test processor in order to alert the user that device is working proper order. For example, it is a common practice in the art of reliability to include self-test processor to test whether device is malfunctioning or working normal condition.

Claim 13: Jones does not specifically disclose ASIC is embodied in a PCMCIA card. Official notice is taken that ASIC is embodied in a PCMCIA card is well known in the art. One of ordinary skill in the art would have been motivated to employ ASIC in a PCMCIA card for portability, security and reliability. Further, PCMCIA card provides convenient way for user to employ the card in different system thus enhancing its capability.

4. Claims 14-16 are rejected under 35 U.S.C. 103(a) as being unpatentable over Jones (US 5,181,245) in view of Pintsov et al (US 5,448,641).

Claims 14,16: Jones does not specifically disclose non-volatile memory is not accessible and accessible memory is provided to store accounting,identification, and operational history data for a user. Pintsov discloses this limitation in (col.6,lines 12-28). It would have been obvious to person of ordinary skill in the art at the time invention was made to employ non-volatile memory disclosed in Pintsov with storage device taught in Jones in order to protect and secure sensitive data against hackers.

Claim 15: Jones does not specifically disclose cryptographic algorithms generate a check sum representation of generated data to provide a unique digital signature which may be verified by a user. Pintsov disclose this limitation in (col.10,lines 8-35). It would have been obvious to person of ordinary skill in the art at the time invention was made to employ digital signature as taught in Pintsov with postal security device disclosed in Jones in order to securely authenticate its source thus preventing data tampering.

### ***Claim Rejections - 35 USC § 112***

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

5. Claim 14 recites the limitation "said non-volatile memory". There is insufficient antecedent basis for this limitation in the claim.

Claim 16 recites the limitation "the generation of cryptographic keys". There is insufficient antecedent basis for this limitation in the claim.

### ***Claim Objections***

6. Claim 16 is objected to because of the following informalities: Claim 12 not fully deleted. Appropriate correction is required.

### ***USPTO contact information***

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7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Hosuk Song whose telephone number is 571-272-3857. The examiner can normally be reached on Tue-Fri.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kim Vu can be reached on 571-272-3859. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



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